

RESTRICTION AND ELECTION OF CLAIMS

The Examiner has further restricted the claims into following groups of claims:

Group III: Claims 48-53, 63-66, 72-74 and 78-80, drawn to a method of treating fractured bone with a bisphosphonate; or

Group IV: Claims 54-61 and 75-77, drawn to a method of treating fractured bone by administering a bisphosphonate and vibrating stimulus to the fractured bone; or

Group V: Claims 67-71 and 81-83, drawn to the method of promoting new bone formation in a subject by surgically performing the procedure of distraction osteogenesis and thereafter administering at least one bisphosphonate.

Applicants hereby elect to prosecute the claims of Group III, claims 48-66, 72-74 and 78-80, without traverse. As will be discussed below, this election also includes claims 45-60 and 75-77. The claims of Group V have been cancelled.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.